DOCUMENT RESUME

ED 159 814 EA 010 925

AUTHOR Cheng, Charles W.
TITLE Teacher Negotiations: Implications for Citizen Participation in the Schools and the Making of Educational Policy.
PUB DATE 18 Jun 78
NOTE 26p.; Paper presented at the Canadian School Trustees' Association Congress on Education (1st, Toronto, Ontario, June 17-21, 1978)

EDRS PRICE MF-$0.83 HC-$2.06 Plus Postage.
DESCRIPTORS Action Research; *Citizen Participation; Citizens Councils; Collective Bargaining; Elementary Secondary Education; *Negotiation Agreements; Policy Formation; Public School Teachers
IDENTIFIERS California

ABSTRACT

Citizen groups seeking active participation in school decision-making often discover that collective bargaining limits such efforts. Many important decisions are made behind closed doors during school board-teacher negotiations. In many areas, citizens are effectively excluded from having access to or adequately influencing the collective bargaining process. In response, especially in California, citizen groups are attempting to become informed about and take part in teacher negotiations. For example, a citizen group in Los Angeles monitors the negotiating process. In South Pasadena, the intervention of citizens in collective bargaining may have assisted the parties to reach a settlement. In Berkeley, a committee advises the board during the negotiating process and is permitted to send two members to observe negotiations. In Cupertino, California, an action-research project was undertaken by citizen groups interested in examining and increasing citizen participation in collective bargaining. During a teacher strike, the project committee published helpful fact sheets. Data were collected through interviews with over 30 respondents. As a result of community interest, the school board decided to conduct open negotiations, but most people interviewed felt the negotiations were a failure. Findings of the study were used as a framework for future action. (Author/JM)

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Teacher Negotiations: Implications for Citizen Participation in the Schools and the Making of Educational Policy

by

Charles W. Cheng
Assistant Professor, Graduate School of Education
University of California, Los Angeles
Associate Director, Institute for Responsive Education

Presented at the First Congress on Education, Toronto, Canada.

June 18, 1978

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Teacher Negotiations: Implications for Citizen Participation in the Schools and the Making of Educational Policy

Charles W. Cheng

During the last two decades teacher collective bargaining has emerged as a significant political force in the politics of education. I say political because in reality collective bargaining in the public sector in general and in public education in particular is a political process. It is a political process because the bargaining parties negotiate the allocation of public resources, including dollars, and increasingly negotiations deal with educational policy questions. Such issues are not private matters; quite the contrary, they are public policy questions.

In approaching bargaining from this perspective, I plan to deal with three topics. First, I would like to indicate how bargaining affects educational decision making and its implications for citizen participation in the governance of schools. Second, I would like to cite some examples of how citizens in the United States are trying to gain access to the bargaining process. Thirdly, I would like to suggest an action-research model that can be considered by citizen groups interested in examining collective bargaining. I will give an example of the approach by summarizing the findings of a citizen's collective bargaining project conducted in California.

Policy Implications and Citizen Participation

As indicated, teacher bargaining deals with public policy questions and issues; as such, citizens ought to be made aware of the bargaining process, know how it affects the running of schools, have access to

pertinent information surrounding negotiations, and be able to influence what happens in bargaining. Since teacher bargaining is based on the private sector model, which calls for a strictly bilateral structure closed to all except the union and the employer, the public in general is not adequately informed about teacher negotiations.

Openness is not a characteristic of the bargaining process. If anything, bargaining is a closed institution, which corresponds very well to the traditionally closed feature of school systems. Ironically, teacher unions in their drive to secure bargaining rights often contended they were seeking to reform schools--reform them to the extent they would become more open, more democratic, and more responsible to teachers, and ultimately the students to be served. As a former teacher union organizer for seven years, I shared this view. Bargaining, I thought, would undermine the dominant control of the school bureaucracy, and one possible outcome of this power struggle between teachers and administrators would be shared decision making; in short, a more democratic governing structure.

Unfortunately, bargaining allows the professionals to monopolize one aspect of the educational policy-making process. I am now persuaded that negotiations do not enlarge the concept of democracy in education. Indeed, the opposite may be true, for bargaining contributes to fewer people making more and more decisions as the scope of bargaining subjects widens. For example, teacher unions negotiate salaries, fringe benefits, school calendar, leave days, teacher evaluation, class size, discipline, lay-off procedures, staff development programs, curriculum matters, work load, etc. Teachers have a right to be concerned about such matters, and they should be able to expand the scope of negotiations to deal with

these and similar subjects. However, citizens and parents have an equal interest in some of these areas.

Currently, I believe that in many areas citizens are effectively excluded from having access to or being able to adequately influence the negotiating process. Thus, citizen groups seeking to actively participate in school decision making beyond voting for school board members may discover that bargaining can undermine such efforts. For instance, how does one establish school site budgeting or create school site councils which have some authority over program and staff, or generally open the educational decision-making process to non-educators if many important educational matters are decided behind closed doors where citizens have little if any influence? That is, citizen participation is rendered meaningless if the bargaining agreement deals with the same areas of concern which are of major interest to citizens. Once the contract is ratified by the board and the union, it becomes a guiding and controlling document--a legal document that covers more than salary and conditions of work.

But I am not for abolishing collective bargaining. Positive gains have occurred as a result of teacher power. Nonetheless, I believe citizens should gain access to bargaining and that certain reforms should be initiated. I will now describe some of these citizen efforts being tried in a few communites in the United States.

California Public Notice Provision

Even though teachers have only been negotiating for two years under the collective bargaining statute passed in 1975, citizen groups in California are generating large-scale activities designed to provide citizen access to teacher negotiations. In part, this widespread activity

can be attributed to the public notice provision found in the collective bargaining statute. This provision was inserted into the statute as a result of lobbying efforts by the LWV. Under the public notice section, the teacher bargaining agent and the board of education are required to present their initial proposals at a public meeting, the proposals are to be available to the public, and further, the law stipulates that "the public have the opportunity to express itself regarding the proposal at a meeting of the school employer." This provision of the bargaining bill has served to stimulate some communities to become involved in teacher-board negotiations. Furthermore, in an unprecedented development in management-labor relations, in June 1977, the then Educational Employment Relations Board adopted a set of procedures and regulations allowing citizens to file a complaint with the EERB should the school district not comply with this section of the law. This is the only instance of which I am aware where a citizen third party has been allowed to file charges before an employment relations administrative agency authorized to oversee a bargaining statute. Only the two bargaining parties, due to the bilateral feature of negotiations, has ever had standing before any public employment relations board.

Such developments at the state level have encouraged citizens at the local school district level to take part in negotiations. Many have simply become involved in implementing the public notice provisions. In several school districts, citizens have prepared detailed written responses to the boards' and unions' initial contract proposals. Often, working out the procedures to be adhered to in implementing the public notice provision has taken considerable energy and time.[1]

While many citizen efforts have concentrated on the public notice provision, citizens have sought other avenues in trying to obtain bargaining access.

Monitoring Negotiations

In Los Angeles the school board in response to citizen group requests established a sunshine committee which is attempting to monitor the negotiating process; a part of this monitoring has included meetings with the board negotiator and the union negotiators jointly and separately. The Los Angeles sunshine committee also asked for a seat at the bargaining table, but the request was flatly rejected by the United Teachers of Los Angeles (UTLA). The board's negotiator did not indicate his position because he said that if the union declined there was no need to pursue the matter since having a third party at the table would require the mutual agreement of both parties.

Consciousness-Raising Activities

During the last two years, throughout the state, many groups have sponsored workshops and forums for purposes of educating citizens about the Rodda Act and the bargaining process and suggesting ways in which citizens can play an effective and constructive role in negotiations. Among some of the areas where citizens have held workshops, forums, or discussions have been San Bernardino, Fresno, San Francisco, Palo Alto, the California Association of Compensatory Education, Conejo School District, Cupertino, and Davis. Basically, these activities have been designed to make the public aware of the collective bargaining process.

Citizen Intervention

A number of concrete actions related directly to negotiations have also occurred. In South Pasadena, the intervention of citizens led by

the local LWV may have been instrumental in assisting the parties to reach a settlement. A public meeting was held sponsored by the LWV. Prior to this meeting, negotiations had reached an impasse, and a fact-finding committee appointed. The fact-finding report was made public at LWV forum. Fact finding is provided under law, but only after mediation efforts have failed to resolve the impasse. Before over 600 citizens, the two sides publicly stated their positions. The meeting itself, because of the obvious tension caused by the impasse, was tightly structured, with no questions from the audience, but questions of clarification only were asked by a panel of highly regarded citizens (Berman, 1978). Holding of the public forum with both parties present and agreeing to speak may have averted a potential teacher strike in view of the fact that the strike vote called for the next day was rescinded and a contract agreement was reached soon thereafter. One could conclude that this forum constituted a form of community-based mediation.

Some school districts responding to citizen requests have sought to break down the communication barrier by not waiting until a potential strike crisis arises. For example, in the Mountain View-Los Altos Union High School District, each side gives a written report jointly which provides an update on negotiations. In contrast, in the Palos Verdes School District each side issues their own separate communication bulletin on what's being negotiated and a progress report. One school district, Sierra Sands, in trying to open up communications, experimented with a videotape telecast of negotiations shown in a church foyer.

In San Diego and Piedmont, both parties were present to discuss the negotiations; while in Cupertino and San Jose the teacher organization met with the public to explain its position.

Observers at the Table

One of the most noteworthy efforts in securing structural access to bargaining occurred in Berkeley.* Prior to the passage of the state's collective bargaining bill, a group of black and white citizens pressed the board to involve the public in the negotiating process (California at the time was operating under a meet and confer bill). The board of education responded by creating a citizen's advisory committee on negotiations which was responsible to the board and the committee was granted little authority, except to advise the board (Crowe, 1978). The first advisory committee consisted of eight members, with each of the five board members appointing one each, two by the PTA and one by the Citizens Budget and Finance Committee. In the third year, the committee was expanded to 14 and representatives from Concerned Black Parents, NAACP, LWV, PTA, and the District Advisory Council were included.

At first the advisory committee did not attend the negotiating sessions, but the committee members after a short period came to the conclusion that they were handicapped in not hearing the union's position. Thus, the committee requested permission to observe the negotiations. Although the board first refused the request, the board and the union later agreed; and the committee was permitted two observers on a rotation basis at each bargaining session.

The teacher's union requested that the advisory committee not report to the community what was going on in the negotiations. The advisory committee did agree not to report what individuals said, nor divulge specific details; however, the committee did insist on reserving the right to issue public statements on the status of negotiations.

During the actual deliberations, the advisory committee, even though appointed by the board, displayed an independent posture. On some occasions, the committee sided with teachers on certain issues, such as class size and safety regulations, while at other times they sided with the board. There were also times when the advisory committee did not endorse the position of either the board or the union. As one member of the advisory committee has said:

> ...You can't foresee what stand a citizens committee will take. Many school boards are afraid to involve citizens because they think the citizens might work against them. Teachers organizations also fear that citizens will oppose them. But it has been our experience that you can't predict the position a committee will take. This will vary with the financial situation of the district, the political climate of the community, and the particular skills and views of individual committee members (Crowe, 1978, p. 4).

This observation underlines the independence exercised by the Berkeley advisory committee. In practice, the citizens group did not necessarily align themselves with either party; although this non-partisan stance often disturbed both the union and the board. But this independent stance allowed the citizens to effectively and fairly assess the positions of both the union and the board; in doing so, they were able to express another point of view which is now absent from most negotiating tables:

> We felt strongly as a committee that we represented a third point of view. Our position on negotiations did not always coincide either with the Board's or with the teachers'. We had a different perspective as taxpayers and consumers of the educational product (Crowe, 1978, p. 5).

I believe the Berkeley experience demonstrates that there is a legitimate need in some communities for a third point of view is needed in teacher bargaining. The Berkeley experience was not ideal; there were problems the committee itself had to resolve, and there was difficulty with both the union and board in certain instances. Nonetheless, this procedure is still in operation under the new law.

Schick and Couturier provide an insightful summary of the work of the Berkeley advisory committee:

> Despite the severe drawbacks in the implementation of the Citizens Advisory Committee, the concept of a citizens group to advise the board and observe the negotiations was generally regarded as promising. Even the teachers organization did not dispute the principle of citizen access to information. The new access available to the middle class educational activist community as well as to minority communities doubtless provided a sense of community participation, if not complete satisfaction with the outcome. Most thought the public interest had been served in the negotiations (p. 146).

Strike Involvement

Many citizen groups have also tried to become involved in teacher strikes. Some, such as was done in Cupertino, have simply sought to seek the positions of both sides and then communicate that to the public. As an aside, we would like to mention that often in these circumstances both the union and the board commonly ask citizens to support their respective bargaining positions. We suggest that neither the union nor the board, while negotiating in total secrecy, can rightfully expect citizens to endorse either side when all the information, priorities,

reasons for positions are unknown to the public. When asked to support either side, community groups should say, "I don't know what you know and until I at least know what you know, I don't intend to support any postion or side based on ignorance."

On December 2, 1977, the LWV and IRE sponsored a meeting of several citizen groups from the San Francisco Bay Area, who met to discuss and share what actions they took when confronted by a teachers' strike. The conference was called "Community Needs and Responses to School Strikes."

According to Jackie Berman, IRE collective bargaining project director, those communities which had experienced strikes said citizens should attempt to form coalitions during a strike crisis in order that such a group be able to produce and disseminate accurate information to the entire community (Berman, 1978). Berman has summed up the major concerns expressed at the meeting:

> The groups agreed that the greatest need is for information, and that the trust level between cmmunity, teachers, school boards falls off to nearly nonexistent. In that charged atmosphere, public groups can fill the gap only if they can produce current, accurate information. The group felt that often teachers are not sure what the real issues are and when asked why they are on strike, staff at different schools will give different answers.
>
> Meeting attendees also felt that the public plays a better mediating role when, 1) they have studied and understand the school district budget, and 2) they have had time to carefully study initial proposals, analyze their cost and program implications and respond to those proposals publicly (p. 2).

In summary, we have discussed developments in California at some length mainly because there are numerous citizen activities occurring in the area of teacher negotiations. We believe actions of a similar kind can and should occur in other places. We shall not turn to other national developments.

The National Scene

New York City. Ten years ago there was a dramatic and hostile clash between the UFT and the black and Puerto Rican community over the central issue of community control. In that conflict, citizens in general, but citizens in minority communities in particular, received a setback with regard to citizen participation in educational decision making. After the Ocean Hill-Brownsville strike, the power wielded by the UFT at the state level proved decisive. Yet, parent groups have persistently continued to seek access to the bargaining process. In the 1975 negotiations, for instance, between the board and the union, the community school boards (32) were allowed to have three observers sit in on the bargaining sessions. However, the observers expressed great dissatisfaction with the arrangement since they were prohibited from having any effective input into the deliberations , nor were they able to report what was occurring in negotiations (Cheng & Haskins, 1976).

Open Negotiations

As indicated earlier, Florida has a "sunshine" law requiring all teacher/board negotiations to be conducted in public. While the bargaining parties were not overly enthusiastic about the passage of the law, a preliminary study has found that the parties are beginning to accept open negotiations as an integral part of the bargaining process (Magruder, 1976). Open negotiations do present some problems, but Magruder's study on Florida's law concluded:

> There is no question that bargaining in a "goldfish bowl" inhibits compromise, lengthens the bargaining process timewise, is more expensive, creates controversy, and fosters additional unnecessary adversary relations. The results of this study indicate, however, that even with all of these disadvantages, school board members, superintendents, the public, news media, and, at least, superficially some teacher unions, believe that "goldfish bowl" collective bargaining should be retained (p. 11).

Magruder's findings are contrary to what my colleagues and I found in a soon-to-be-published IRE study. Our findings disclose the general opposition by the parties to open negotiations. The Florida situation bears watching, and the apparent positive experience thus far may persuade teacher unions, board of education, and school administrators in other states to explore this alternative to closed bargaining. Indeed, there are signs that some communities around the country are willing to open up the process. For instance, in the 1974 contract negotiations between the Washington Teachers Union and the District of Columbia Board of Education, the board held a public meeting in which citizens were invited to comment on the existing contract as well as make suggestions on what matters they would like to see included or excluded from the contract. As the board prepares for the next round of contract talks, which will commence in the spring of 1978, the board is considering what approach might be used in opening up the process, including a way to communicate to the public about the issue being negotiated at the table. Significantly, the board recently voted to rescind a closed negotiations clause from its labor relations procedures.

A few small communities in Massachusetts have adopted open negotiations, including Scituate and Rowley. A citizens group in Cambridge in April 1977 proposed that an independent observer be permitted to sit in on the teacher negotiations, but the idea was rejected by the union.

As reported in other studies (Jones, 1975; Sarason, 1975; Cheng, 1976; Schick and Couturier, 1977), other cities have experimented with opening up the process; frequently ranging from the televising of teacher negotiations in Philadelphia to an experiment with open negotiations in Chicago a few years ago. Frequently, as was the case in Chicago, bargaining is opened at a crisis stage of negotiations or during a strike.

This brief overview indicates how some citizens and communities are responding to the collective bargaining structure in education. My third topic will focus on a specific bargaining research project--a project whose purpose was to increase citizen awareness of and participation in the negotiating process.

The Cupertino Study

At about the time the California teacher bargaining statute, the Rodda Act, was to take effect, IRE was searching for some community sites to conduct a national study on citizen involvement in the teacher collective bargaining process. During the last decade, community groups and scholars have begun to raise questions as to whether the current bilateral-bargaining model is appropriate for teacher negotiations. Since California was just entering into a negotiating era, IRE staff, in consultation with the California LWV, decided California would be a sound choice for a site project. (As it turned out, two sites were chosen in California for the pilot study. San Diego and Cupertino were included in the study, along with New York City.) Cupertino was selected

prior to the September 1976 strike. The IRE project committee decided to undertake a community research project dealing with community participation in the Cupertino negotiations. One of its first activities was to publish four fact sheets immediately prior to and during the strike. The purpose of the fact sheets was to inform the public on the process of negotiations and the specific positions of the two parties. Both the board and the Cupertino Education Association (CEA) agreed that these fact sheets were accurate and helped to inform the public about the major issues separating the parties at the time of the walkout. The group became interested in ascertaining the causes of the strike, what impact the strike had on the schools, how the community viewed the strike and the negotiating process, and what role, if any, the community should play in future board-teacher negotiations.

Negotiations Prior to Strike

Bargaining between the CEA and the CUSD began in February 1976. Five negotiating sessions also occurred during the summer. But there was little progress on the major issues during this period, and on September 3, 1976, the CEA declared an impasse, indicating that the scope of bargaining was the major bone of contention between the two sides. Following the declaration of impasse, a state mediator was appointed in an effort to resolve the labor dispute. Mediation efforts, after over 100 hours of talks, failed to produce a settlement. On October 6 the teachers went on strike, and the conflict was finally settled after 12 days on the picket lines.

At the time of the strike, the two major issues separating the parties were the teachers' salary schedule and binding arbitration. While these were termed the significant areas of differences, still

outstanding were class size, an agency shop proposal, the length of the contract, and the number of working days.

Public Participation in Negotiation

During the first contract discussions, some community members and organizations made efforts to be kept informed about what was occurring in bargaining. In response to this concern, the school board voted for open-public negotiations. Also, the CEA, responding to community interest and concern over contract talks, held a public meeting in the spring of 1976 where CEA leaders explained their negotiating proposals.

Summary of Study

The Cupertino study can best be characterized as an action-research project sponsored by the Institute for Responsive Education in conjunction with the local League of Women Voters; the PTA and American Association of University Women also joined the project. The major purpose of the project was to "identify and increase effective citizen participation in collective bargaining in education." In carrying out this objective, the study committee decided to look at teacher negotiations, the 1976 teachers' strike, and community involvement in the bargaining process.

Time prohibits a detailed account of the complete study. However, I shall attempt to underscore what I consider the highlights of the study, and perhaps in the discussion period we can have more of an exchange regarding the IRE project. I would like to discuss briefly three areas of the study: (1) research access, (2) the major findings, and (3) the research process.

Access

Attempting to undertake a serious anatomy of a crisis situation is always beset with difficulties. One is faced with the almost impossible

task of resurrecting the situation. Those directly involved in the negotiating process, and particularly a crisis negotiating situation, may not recall some of the significant incidents and developments that occurred during the heated dispute. Compounding the researcher's problem is the fact that confidentiality is an integral part of the negotiating process. For example, in order not to jeopardize future working relationships, the bargaining parties are reluctant to reveal all they know.

Certainly these factors were present in Cupertino. Yet the local LWV group, which coordinated the IRE project, was instrumental in alleviating these proble4d Indeed, during the research period, the board, the administration, the union, teachers, and parents fully cooperated with the project. Thus, gaining access was not the problem, and because of the openness and cooperation of all the parties and the involvement of local citizens in the research process, I believe the results of the study are having a positive impact on the school district.

The Findings

Five areas were examined in the report: (1) community's role in negotiations, (2) open negotiations, (3) causes of the strike, (4) impact of the strike, and (5) mediation. Since we are talking about the community and bargaining today, I shall only report on the community's role in negotiations and open negotiations.

While there was some community interest expressed, most respondents believed there was not widespread awareness of what was going on in negotiations until the strike. Community people also felt they had little influence on negotiations. The CEA and some administrators were generally not in favor of any community involvement in negotiations.

Cupertino sought to include citizens in the negotiating process beyond what is called for under the public notice section of the law. Cupertino experimented with open negotiations or as it is sometimes called, "sunshine bargaining," in the 1976 contract talks. Following interviews with over 30 respondents, including the union leadership, board members, parents, community people, and administrators, our findings indicate that nearly everyone thought open negotiations were a failure. However, some felt it was a failure because the board unilaterally decided to negotiate in public. The union did not support the board's decision. In fact, the CEA refused to bargain in public for three months. More significantly, while several administrators and the union tended to be opposed to future sunshine bargaining, the three board members and community respondents interviewed, although agreeing that the first experience failed, still were favorably disposed to trying public negotiations again.

The Research Process

There was a unique characteristic to this study. The Cupertino bargaining project consisted of parents and community members who took on the responsibility of collecting the data for the study. IRE provided a couple of informal training sessions on how to conduct interviews, gather evidence, and develop controlled questions. I served as a resource and consultant to the group, but the project was under the control of the local committee.

When the data was collected, I was charged with the responsibility of analyzing the material and writing the final report. Yet, before the report was completed, the IRE committee was given a draft; I then met with the committee to discuss my analysis and recommendations. At this

meeting, suggestions were offered which included clarification, added information, corrections, and alternative interpretations from mine.

Importantly, at the very beginning, the relationship between the committee's and my roles in the project was verbally agreed to, including how the findings would be written up and used.

In regard to the use of the findings, I can inform you that the report has not simply been treated as a scholarly exercise. The full report was presented to the parties; and the board of education is considering some of the recommendations, modifying the recommendations, or developing their own. The important point is that the document is at least being utilized as a framework for positive action; and even more importantly, the IRE project, I am told, served to bring about a constructive dialogue between the two parties this past January at a conference sponsored by IRE.

I would like to mention two conclusions that emerge from this study: (1) policy makers, academic researchers, and the two bargaining parties ought to give serious attention to citizen efforts designed to increase community access to the bargaining structure; and (2) research approaches founded on genuine cooperation between a university researcher and an active community group should be considered. After over a decade of academic research on teacher negotiations, we still have little substantive evidence on what impact bargaining has had on instructional programming and curriculum. Thus, it might be worth exploring collaborative action-research efforts to get at this latter question. School site research is required to initiate such an inquiry. Obtaining access and collecting pertinent data has been a difficulty posed by the exclusionary and confidential character of the bargaining process. Perhaps

collaborative undertakings between community groups with no "axes to grind" and university researchers will serve to reduce research barriers which now impede legitimate inquiries into teacher bargaining. Finally, the research must be of benefit to the practitioner as well as the researcher. I believe Cupertino demonstrates how traditionally conceived and perceived academic studies can be of direct value to a school district.

Conclusion

We are a negotiating society, and teachers have joined the negotiations. Bargaining will remain an integral part of the American and Canadian educational scene for years to come; and it must be remembered that historically teachers have been at the bottom rung in school systems. Teachers chose bargaining as a tool to enhance their salary and working conditions. The emergence of bargaining and the growth of the AFT and NEA have changed the historically oppressive condition of the teacher. But we have the right to hope that teachers unions, which are now basically politically secure, will initiate concrete steps to not only serve their paid membership, but to serve the real clients of the schools--our children. And we have the right to ask the same of the school board and its negotiators.

I have tried to point out ways in which consumers can participate in one important area of school decision making. I am convinced that only active citizens, who take on the responsibility of forcing the present bargaining parties to be accountable, can move to a position of power to negotiate on behalf of the consumer. I agree with Joseph Featherstone (1977) when he says:

> Our reform history is not promising. Perhaps we can transcend it. My own feeling is that the more internally democratic--participatory,

if you will--the unions are, and the more they can think in terms of alliances with parents and principals at the individual school level, the more promising the future will be (p. 20).

If our system of public education is going to do more than merely serve the professionals and the most fortunate in this society, then we are convinced we must transcend our reform history.

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Footnote

[1]A recently completed doctoral dissertation examined the degree of implementation and the effect of the public notice provision as perceived by school board presidents, school district superintendents, and teacher organizational presidents in 100 randomly selected public school districts during 1977. In determining whether this section of the law had been complied with, the study found that 83% of superintendents, 81% of board presidents, and 61% of teacher organization presidents believed the public notice section had been properly implemented in accordance with the law to a moderate or to a great extent (Rice, 1978). However, most respondents said the public notice section had not increased community participation. Sixty-four percent, for example, of all respondents indicated that few citizen groups appeared as a direct result of the public notice section; 36% believed there was a visible community presence. Importantly, Rice found that citizen groups tended to take more advantage of the public notice provision in larger school districts and in unified districts (K-12); conversely, there was less community response with regard to public notice in smaller and elementary school districts.

One of Rice's findings tends to support what the IRE study has also found regarding open negotiations. To ascertain whether the respondents might favor a widening of the public notice provision, he asked their position on open negotiations. Fifty-eight percent of teacher organization presidents, 53% of superintendents, and 56% of board presidents expressed opposition to open negotiations. These responses again reveal the bargaining parties' general disagreement with open negotiations.

While the parties may act as adversaries at the table, these preliminary findings suggest they are united in their resistance to "sunshine" negotiations.

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